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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/890,536 | 01/15/2003 | Julie Salamone | 5-ART | 3577 |

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EXAMINER

HOANG, PHUONG N

| ART UNIT | PAPER NUMBER |
|----------|--------------|
|----------|--------------|

2194

| SHORTENED STATUTORY PERIOD OF RESPONSE | MAIL DATE | DELIVERY MODE |
|--|------------|---------------|
| 3 MONTHS | 12/29/2006 | PAPER |

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

09/890,536

Applicant(s)

SALAMONE ET AL.

Examiner

Phuong N. Hoang

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 September 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 - 10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 - 10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1 – 10 are pending for examination.
2. This office action is in response to amendment filed
3. References, not found in this office action, can be found in previous office action.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 1 – 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over “The Common Object Request Broker: Architecture and Specification” (herein refers as Corba) in view of Cavanaugh, US patent no. 6,516,354.**

5. **As to claim 1**, Corba teaches a method of activating a process, comprising:
Generating one or more first plug-ins (create portable object adapter (POA),
9.2.3) each configured to activate (active state, 9.3.2. and 9.3.3) a target process (target objects);

Dynamic (dynamic registering would include in step of dynamic creation and invocation of request to objects, chapter 5, 9.6.11, 9.3.3, 9.3.4, and 9.3.2) registering

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the first plug-ins with a second plug-in (an AdapterActivator object must registered with);

Permanently storing information relating to each registered first plug-in (POA with the retain policy will remain mapping, figure 9 – 2 and 9.2.3).

Activating at least one target process (activate, 9.3.2. and 9.3.3, 1.3.2.1, figure 11-3).

Corba does not explicitly teach the step of the activation is based on said permanently stored information.

Cavanaugh teaches the activation is based on the permanently stored information (if the POA is persistent, it must support Object reference must remain fix, col. 7 lines 30 – col. 8 lines 35).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of Corba and Cavanaugh's system because Cavanaugh's permanently stored information would support the activation step once the server maintain the mapping (col. 8 lines 1 – 3).

6. **As to claim 2**, Corba teaches storing a flag for each registered first plug-in (processing states, 9.3); activating the corresponding target process if the flag is set to a second state (active).

7. **As to claim 3**, Corba teaches generating an exception to indicate that a target process is inactive when its flag is not set to the first state or second state (adapterinactive exception, 9.3.2 processing states).

8. **As to claim 4**, Corba teaches providing a unique identifier for each target process (POA name, figure 9 – 2 and 9.2.3); and sending and receiving a message between the first and second plug-ins using the identifier (a request from the POA to an adapter activatordelivered to that POA, 9.3.3).

9. **As to claim 5**, Corba teaches the message includes information relating to a state change of the target processes, and wherein the state includes an activated state and a deactivated state (deactivate state, 9.3.2).

10. **As to claim 6**, Corba teaches

One or more first plug-ins each configured to activate a target process (create portable object adapter (POA), 9.2.3) each configured to activate (active state, 9.3.2. and 9.3.3) a target process (target objects);

A second plug-in configured to dynamically register the first plug-ins (an AdapterActivator object containing the POA objects it is registered with, 9.3.3) and to permanent store information relating to the registered first plug-ins (POA with the retain policy will remain mapping, and the information is permanent stored when the mapping remain, figure 9 – 2 and 9.2.3).

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Cavanaugh teaches processor (CPU, col. 4 lines 65 – col. 5 lines 15) and storage device (memory for storage).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of Corba and Cavanaugh's system because Cavanaugh also teaches CORBA and plug-ins (abstract, figure 5 and associated text).

11. **As to claims 7 – 10**, see rejection for claims 2 – 5 above.

Response to Arguments

12. Applicant's arguments filed 9/22/06 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within

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TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phuong N. Hoang whose telephone number is (571)272-3763. The examiner can normally be reached on Monday - Friday 9:00 am to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Thomson can be reached on 571-272-3718. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

 MENG-AL T. AN
SUPERVISORY PATENT EXAMINER